THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.13276 of 2005

ORAL ORDER:

This writ petition is filed questioning the action of the respondents in interfering with the peaceful possession and enjoyment of the huts raised by the petitioners in small extents of land in R.S.No.87/2 of Tallamudi village, hamlet of Appannaveedu of Pedapadu mandal, West Godavari district as arbitrary and illegal.

The case of the petitioners is that they are in occupation of huts raised in small extent of land in R.S.No.87/2 of Tallamudi village, hamlet of Appannaveedu of Pedapadu mandal, West Godavari district for their residential purpose and the respondents without any authority of law and without issuing any notice are threatening to demolish their huts.

This Court, while admitting the writ petition on 21.6.2005, directed the respondents not to dispossess the petitioners from the huts till the disposal of the writ petition.

The third respondent filed a detailed counter. At para 4 of the said counter, it is stated that as on date, the water in the tank is meeting the requirements of ayacut and in case water is insufficient, petitioners have to vacate and in fact no residential purpose within the tank bed area and water bodies is permitted. As the petitioners are occupying, they will be evicted by following due process of law, if necessary and at present, there is no threat of dispossession forcibly.

In view of the same, the writ petition is disposed of directing the respondents not to dispossess the petitioners from their huts without following due process of law. No order as to costs.

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C.V.RAMULU, J

Date: 8.8.2007

DA

THE HON'BLE SRI J USTICE C.V.RAMULU

W.P.No.13276 of 2005

8.8.2007

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.13276 of 2005

Date: 8th August, 2007

Between:

Diddi Suvatsala & others.

.. Petitioners

And

The District Collector,
West Godavari district,
Eluru & others.

.. Respondents